





Honorable Linda B. Riegle
United States Bankruptcy Judge

Entered on Docket
5February 27, 2012

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Stipulated Order Approving Compromise
Settlement of Roy R. Ventura, Jr., and
Nancy B. Ventura Proofs of Claim**

The Stipulated Motion for Approval of Compromise Settlement of Proofs of Claim of Roy R. Ventura, Jr., and Nancy B. Ventura [DE 9719] ("Stipulated Motion") to settle Proofs of Claim No. 10725-00638 and 10725-00639 filed by Roy R. Ventura, Jr., and Nancy B. Ventura ("Ventura") came before the Court for consideration. No notice being necessary and good cause appearing,

IT IS ORDERED:

- Approving the Stipulated Motion;
- Ventura Proof of Claim No. 10725-00639 is a duplicate to Proof of Claim No. 10725-00638 and is therefore disallowed in its entirety;

- 1 • Ventura Proof of Claim No. 10725-00638 in the amount of \$155,828 is allowed
- 2 in part in the amount of \$34,750. The remainder of that proof of claim is
- 3 disallowed;
- 4 • The Venturas' responses [DE 8930, 9220, 9221 and 9222] to certain omnibus
- 5 objections to allowance of claims filed by the USACM Trust and those
- 6 objections [DE 8570, 8872, 8885 and 8900] are declared moot as they relate to
- 7 the Venturas' Proofs of Claim;
- 8 • Based upon the allowed general unsecured claim in the amount of \$34,750.00,
- 9 the Trust is authorized to make a 4.92% distribution (\$1,709.70) to Venturas as
- 10 the *pro rata* share of the funds reserved by the Trust from the initial creditor
- 11 distribution. All other funds reserved for the Venturas claims will be made
- 12 available to the Trust for whatever purpose is appropriate in the administration of
- 13 the Trust;
- 14 • Venturas will share in future distributions pro rata based upon the allowed claim
- 15 of \$34,750.00;
- 16 • This order will supersede any previous orders by this Court that might be deemed
- 17 to be in conflict with this order; and
- 18 • Each party shall bear their own costs and attorneys fees.

19 PREPARED AND RESPECTFULLY SUBMITTED BY:

20 **LEWIS AND ROCA LLP**

22 By /s/ John Hinderaker (AZ 018024)

23 Robert M. Charles, Jr.

24 John Hinderaker (*pro hac vice*)

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1 AGREED, AND APPROVED AS
2 TO FORM AND CONTENT

3
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